

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
COURT FILE NO.: 0:08:CV-5302 PJS-AJB**

Katie M. Baker,

Plaintiff,

v.

Debt Equities, LLC,
Thomas LaBeaux, and Richard
Gault,

Defendants.

**NOTICE OF ACCEPTANCE OF
OFFER OF JUDGMENT
AND
NOTICE OF INTENT TO CLAIM
ATTORNEY'S FEES AND COSTS
PURSUANT TO
15 U.S.C. § 1692k(a)**

TO: DEFENDANTS ABOVE AND THEIR ATTORNEY, MR. BARRY A. O'NEIL (#220875) OF LOMMEN, ABDO, COLE, KING & STAGEBERG, P.A., 2000 IDS CENTER, 80 SOUTH 8th STREET, MINNEAPOLIS, MN 55402, TELEPHONE (612) 339-8131:

Plaintiff hereby gives notice to the Court that she accepted Defendant's Rule 68 Offer of Judgment served and filed herein in the above matter, and attached hereto as Exhibit 1, on April 24, 2009.

Plaintiff and Plaintiff's undersigned counsel hereby also give Notice of Intent to Claim an Award of Attorney's Fees and Costs. Such claim for an award of fees and Costs shall be based upon the statutory authority of 15 U.S.C. § 1692k(a) and 28 U.S.C. §§ 1920 and 1924, as well as the authority of the Federal Rules of Civil Procedure. The counsel who rendered the legal services upon which the claim is based is as follows:

1. Peter F. Barry, Esq.
2. All other Plaintiff's counsel who participated in or made an appearance in this case, if any.
3. Law clerks and paralegal staff of the above, if any.

Plaintiff proposes that the Court issue a scheduling Order for the presentation of motions for attorney's fees which allows the parties a minimum of 30 days from the date of this Notice, to attempt to informally settle this issue of attorney's fees without the necessity of the Court's involvement.

Respectfully submitted,

Dated: May 5, 2009

BARRY & SLADE, LLC

By: **s/Peter F. Barry**
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ATTORNEY FOR PLAINTIFF